

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANNETTE HOPKINS,

Plaintiff,

v.

ETHICON INC,

Defendants.

Case No. C20-1050 RAJ-TLF

ORDER SETTING PRETRIAL  
SCHEDULE

This case has been referred to the undersigned United States Magistrate Judge. Dkt. 12; Local Rule MJR 6 and General Order 02-19. The Court having reviewed the parties' Joint Status Report (Dkt. 21), sets the following pretrial schedule:

Event	Date
Last date for joinder of additional parties	December 11, 2020
Last date to amend the pleadings	March 5, 2021
All motions related to phase one fact discovery must be noted on the motion calendar no later than the Friday before phase one discovery closes pursuant to LCR 7(d) and LCR 37(a)(2)	Noting Date: June 4, 2021
Phase One Fact Discovery Completed	June 11, 2021
Disclosure of Expert Witnesses: Plaintiff's liability and damages expert	June 25, 2021
Disclosure of Expert Witnesses: Defendants' liability expert	June 25, 2021
Disclosure of Expert Witnesses: Defendants' damages expert	July 16, 2021

1	Disclosure of Expert Witnesses: Rebuttal expert	August 13, 2021
2	All motions related to phase two expert discovery must be	Noting Date:
3	noted on the motion calendar no later than the Friday	September 3, 2021
4	before phase two discovery closes pursuant to LCR 7(d)	
5	and LCR 37(a)(2)	
6	Phase Two Expert Discovery Completed	September 10, 2021
7	Last date to file and serve <i>Daubert</i> Motions	October 15, 2021
8	Last date to file and serve dispositive motions	October 15, 2021

9 This order sets firm dates that can be changed only by order of the Court, not by  
10 agreement of counsel or parties. The Court will alter these dates only upon good cause  
11 shown; failure to complete discovery within the time allowed is not recognized as good  
12 cause. If any of the dates identified in this Order or the Local Civil Rules fall on a  
13 weekend or federal holiday, the act or event shall be performed on the next business  
14 day.

#### 14 Trial Date

15 A trial date will be set by the assigned District Judge, the Honorable Richard A.  
16 Jones, if the case has not been resolved by the dispositive motion deadline.

#### 17 Dispositive Motions

18 Any dispositive motion shall be filed and served on or before **October 15, 2021**.  
19 Pursuant to LCR 7(b), any argument being offered in support of a motion shall be  
20 submitted as part of the motion itself and not in a separate document. The motion shall  
21 include in its caption (immediately below the title of the motion) a designation of the date  
22 the motion is to be noted for consideration upon the Court's motion calendar.

Dispositive motions shall be noted for consideration on a date no earlier than the fourth Friday following filing and service of the motion. LCR 7(d)(3).

All briefs and affidavits in opposition to any motion shall be filed and served pursuant to the requirements of Rule 7 of the Federal Rule of Civil Procedure and LCR 7. The party making a motion may file and serve a reply to the opposing party's brief and affidavits. Any reply brief shall also be filed and served pursuant to the requirements of Rule 7 of the Federal Rules of Civil Procedure and LCR 7.

#### Privacy Policy

Pursuant to Federal Rule of Civil Procedure 5.2 and LCR 5.2, parties must redact the following information from documents and exhibits before they are filed with the court:

- Dates of Birth: redact to the year of birth
- Names of Minors: redact to initials
- Social Security Numbers and Taxpayers Identification Number: redact in their entirety
- Financial Accounting Information: redact to the last four digits
- Passport Numbers and Driver License Numbers: redact in their entireties

All documents filed in the above-captioned matter must comply with Federal Rule of Civil Procedure 5.2 and LCR 5.2.

#### Cooperation and Settlement

As required by LCR 37(a), all discovery matters are to be resolved by agreement if possible. Counsel are further directed to cooperate in preparing the final pretrial order in the format required by LCR 16.1, except as ordered below.

1 A settlement conference conducted between the close of discovery and the filing  
2 of dispositive motions requires a face-to-face meeting or telephone conference between  
3 persons with authority to settle the case. The settlement conference does not have to  
4 involve a third-party neutral.

5 Should this case settle, counsel shall notify Judicial Law Clerk Miguel Mendez-  
6 Pintado at [Miguel\\_Mendez-Pintado@wawd.uscourts.gov](mailto:Miguel_Mendez-Pintado@wawd.uscourts.gov) or (253) 882-3894 as soon as  
7 possible. Pursuant to LCR 11(b), an attorney who fails to give prompt notice of  
8 settlement may be subject to such discipline as the Court deems appropriate.

9 Proof of Service and Sanctions

10 All motions, pretrial statements and other filings shall be accompanied by proof  
11 that such documents have been served upon counsel for the opposing party or upon  
12 any party acting *pro se*. The proof of service shall show the day and manner of service  
13 and may be by written acknowledgement of service, by certificate of a member of the  
14 bar of this Court, by affidavit of the person who served the papers, or by any other proof  
15 satisfactory to the Court. Failure to comply with the provisions of the Order can result in  
16 dismissal/default judgment or other appropriate sanction.

17 The Clerk of Court is directed to send a copy of this Order to plaintiff and  
18 defendants.

19 Dated this 23rd day of October, 2020.

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Theresa L. Fricke  
23 United States Magistrate Judge  
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